United Nations S/2002/1148

Security Council

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15 October 2002

Original: English

Letter dated 15 October 2002 from the Permanent Representative of the Sudan to the United Nations addressed to the President of the Security Council

In my capacity as Chairman of the Islamic Group, I have the honour to request that Ambassador Mokhtar Lamani, Permanent Observer of the Organization of the Islamic Conference to the United Nations, be allowed to participate in the debate in the Security Council on the item entitled "The situation between Iraq and Kuwait", in accordance with the relevant provisions of the Charter of the United Nations and rule 39 of the provisional rules of procedure of the Security Council.

(*Signed*) Elfatih **Erwa**
Permanent Representative

02-64077 (E) 151002

S/2002/1149

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Security Council

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Letter dated 11 October 2002 from the Permanent Representative of Denmark to the United Nations addressed to the Secretary-General

I have the honour to draw your attention to the statement issued on 10 October 2002 by the Presidency of the European Union on behalf of the European Union on the outcome of the regional summit on Burundi held in Dar es Salaam on 7 October 2002 (see annex).

I should be grateful if the text of this letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Ellen Margrethe **Løj**
Permanent Representative

02-64315 (E) 171002

Annex to the letter dated 11 October 2002 from the Permanent Representative of Denmark to the United Nations addressed to Secretary-General

[Original: English, French and Spanish]

Statement on the outcome of the Regional Summit on Burundi, held in Dar es Salaam on 7 October 2002, issued on 10 October 2002 by the Presidency of the European Union on behalf of the European Union

The European Union welcomes the outcome of the Regional Summit on Burundi held in Dar es Salaam on 7 October 2002, which it considers a step in the right direction, towards an all-inclusive ceasefire and the implementation of the Arusha Agreement.

The European Union welcomes the signing of a ceasefire agreement between CNDD-FDD (Jean-Bosco Ndayikengurukiye) and PALIPEHUTU-FNL (Alain Mugabarabona) respectively and the Government of Burundi.

The European Union supports the time schedule set up by the Regional Summit for concluding a ceasefire agreement between CNDD-FDD (Pierre Nkurunziza) and FNL (Agathon Rwasa) respectively and the Government of Burundi. The European Union calls on all partners to seize this opportunity for peace and strongly urges all the above-mentioned parties to take on the responsibility, at the highest level, of concluding ceasefire agreements within 30 days.

The European Union supports the Regional Summit's call on all the signatories to the Arusha Agreement to facilitate the integration into the transitional institutions, including the army and other security forces, of the signatories to the ceasefire agreements.

The European Union calls on the Burundian parties to cease immediately all military activities, to respect human rights and to protect the civilian population.

The European Union urges all countries in the region to cease all support for the military activities of the armed groups involved in the Burundi conflict.

The European Union encourages the Governments of the Democratic Republic of the Congo and Burundi to enter into an agreement to normalize their relations, building on their Agreement signed in January 2002.

The European Union, finally, repeats its continued support for the regional efforts, including those of the facilitators, to bring an end to the violence in Burundi with the view to creating peace, stability and development for the benefit of all the people of Burundi.

The Central and Eastern European countries associated with the European Union, the associated countries Cyprus, Malta and Turkey, and the EFTA countries members of the European Economic Area align themselves with this statement.

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Original: French

Letter dated 15 October 2002 from the Secretary-General addressed to the President of the Security Council

I have the honour to transmit herewith a letter dated 14 October 2002 from the Director General of the International Atomic Energy Agency (see annex).

I should be grateful if you would arrange for the text of this communication and its annex to be distributed as a document of the Security Council.

(*Signed*) Kofi A. **Annan**

02-64278 (E) 161002 161002

Annex

Letter dated 14 October 2002 from the Director General of the International Atomic Energy Agency addressed to the Secretary-General

[Original: English]

I should be grateful if you could arrange to transmit the enclosed letter to the President of the Security Council.

(*Signed*) Mohamed **ElBaradei**

Enclosure

Letter dated 14 October 2002 from the Director General of the International Atomic Energy Agency addressed to the President of the Security Council

In paragraph 16 of resolution 1051 (1996), the Director General of the International Atomic Energy Agency (IAEA) is requested to submit consolidated progress reports every six months to the Council, commencing 11 April 1996,[a] on the Agency's verification activities in Iraq pursuant to paragraphs 12 and 13 of Council resolution 687 (1991) and related resolutions.

As has been reported previously, the Agency has not been in a position since 16 December 1998 to implement its mandate in Iraq under the relevant Security Council resolutions. The Agency remains prepared to resume its Security Council-mandated verification activities in Iraq at short notice.

Together with the Executive Chairman of the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC), I participated in the second and third rounds of talks between the Secretary-General and senior representatives of the Government of Iraq. The talks took place in New York from 1 to 3 May 2002 and in Vienna on 4 and 5 July 2002. The talks provided an opportunity to clarify with Iraqi officials the requirements for the full implementation of the relevant Security Council resolutions.

Following receipt of the letter of 16 September 2002 from the Minister for Foreign Affairs of Iraq to the Secretary-General (S/2002/1034, annex) conveying the decision of Iraq to allow the return of the United Nations weapons inspectors without conditions, the Executive Chairman of UNMOVIC and I held talks with the Iraqi authorities on 30 September and 1 October 2002 in Vienna on practical arrangements for the resumption of inspections. In the course of those discussions, Iraq provided IAEA with a CD-ROM containing the backlog of its semi-annual declarations required by the Agency's plan for ongoing monitoring and verification. IAEA is now in the process of analysing the data provided by Iraq.

The results of the recent talks were reported to the Security Council at its informal session of 3 October 2002. At the request by members of the Council, the Executive Chairman and I subsequently documented these results in the form of a joint letter to Iraq seeking confirmation of our understanding of the practical arrangements discussed at the talks in Vienna. Obtaining Iraq's concurrence on those practical arrangements is a crucial step towards the re-establishment of an effective inspection regime, as required by the relevant resolutions. The Executive Chairman of UNMOVIC and I received two successive replies dated 10 and 12 October 2002 in answer to the joint letter.

In its resolution 1409 (2002), the Security Council requested IAEA to evaluate applications submitted to the Office of the Iraq Programme related to the export of products and commodities to Iraq. IAEA is responsible for identifying nuclear-related items referred to in paragraph 24 of resolution 687 (1991) or in section D (Nuclear Section) of the goods review list,[b] to determine whether such items are either prohibited or require prior approval by the Security Council Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait. Close coordination of efforts with UNMOVIC and the Office of the Iraq

Programme has permitted the establishment of an efficient mechanism for performing this task. IAEA is required to complete its evaluation of each application within 10 days. In the light of this requirement and the workload placed on the Agency by the need to process a large number of contracts, the Agency has taken steps to increase its human resources and information technology support. Over 3,400 applications were processed within the first five months of implementation of the mechanism.

As previously indicated to the Security Council, the greater in-depth analysis carried out since December 1998 of the extensive documentation acquired through the inspection process has refined but not changed the Agency's technically coherent picture of Iraq's clandestine nuclear programme and nuclear-related capabilities as of December 1998. Although there remain a few questions and concerns regarding Iraq's nuclear programme prior to 1998, the clarification of which would reduce uncertainty as to the completeness of the Agency's knowledge and understanding of that programme, these questions and concerns do not constitute "unresolved disarmament issues", as referred to in Security Council resolution 1284 (1999).

The Agency is continuing to review and assess all available post-1998 information (for example, publications by Member States, open-source data and high-resolution commercial satellite imagery) as well as Iraq's recently provided semi-annual declarations. However, as nearly four years have elapsed since IAEA has been able to implement its Security Council mandate in Iraq, the Agency remains unable to draw any conclusions with regard to the status of Iraq's nuclear programme and nuclear-related capabilities as of today. It will therefore be important for the Agency, on recommencement of inspections, to resolve, with the highest priority, the key issue of whether there have been any material changes in Iraq's nuclear activities and capabilities since December 1998, and whether Iraq is in compliance with its obligations under the relevant Security Council resolutions. Only through the resumption and continued operation of inspections will the Agency be able to do so.

I should be grateful if you would kindly arrange for this letter to be distributed as a document of the Security Council.

(*Signed*) Mohamed **ElBaradei**

Notes

[a] The previous consolidated reports of the Director General of the International Atomic Energy Agency were circulated as document S/1996/261 of 11 April 1996; S/1996/833 of 7 October 1996; S/1997/297 of 11 April 1997; S/1997/779 of 8 October 1997; S/1998/312 of 9 April 1998; S/1998/927 of 7 October 1998; S/1999/393 of 7 April 1999; S/1999/1035 of 7 October 1999; S/2000/300 of 11 April 2000; S/2000/983 of 11 October 2000; S/2001/337 of 6 April 2001; S/2001/945 of 5 October 2001; and S/2002/367 of 16 April 2002. Document S/1998/694, dated 27 July 1998, contained the text of an interim status report provided in response to the Security Council presidential statement dated 14 May 1998 (S/PRST/1998/11). Document S/1999/127, dated 9 February 1999, contained the text of an interim status report provided in response to the note by the President of the Security Council dated 30 January 1999 (S/1999/100).

[b] The goods review list (S/2002/515) is referred to in resolution 1409 (2002). Section D of the list identifies the relevant nuclear-related items. The section is identical to the list of nuclear-related items to which the export-import mechanism, approved by the Council in its resolution 1051 (1996), applies, as well as to annex 3 of the Agency's ongoing monitoring and verification plan approved by the Council in its resolution 715 (1991), as updated in 2001 (S/2001/561).